IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.3319 of 2008
CHANDESH SHARMA
Versus
THE STATE OF BIHAR
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3. 9.5.2008 This is an application for grant of regular bail in a case under Section 304B/34 of the Indian Penal Code against five persons including the petitioner. After the investigation the charge-sheet has been submitted under Section 302 of the Indian Penal Code.

The petitioner is the husband of the deceased, Rina Kumari. The dead-body of the deceased Rina Kumari was also found with electric wire wrapped around her neck and her legs also tied with electric wire in the house. As per the post mortem report the death was caused by strangulation. The petitioner, who happens to be husband of the deceased, surrendered in the Police Station and made confessional statement that he has committed murder of his wife.

Learned lawyer for the petitioner submits that there is no eye-witness of the murder and the charge-sheet has been submitted under Section 302 of the Indian Penal Code. So

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he further submits that in absence of any eye-witness, the petitioner be released on bail.

Considering the conduct of the petitioner of his surrender in the Police giving confessional statement that he killed his wife and dead body was found in the house containing electric wire wrapped around her neck and her legs tied with the electric wire, I am of the opinion that it is not a fit case for grant of bail . Accordingly, the prayer for bail is rejected.

(Anwar Ahmad, J.)

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